

kindly request that the Examiner avoid piece-meal rejections noting that this is the third, non-Final Office Action citing new art.

Regarding the rejection of claims 1 and 2, Applicants submit that one of the inventive features of the present invention as recited in the claims is “means for programming and processing events triggering a search for the fixed part or parts of the local networks . . . said programming and processing means activating the search means on the occurrence of programmed triggering events.” The Examiner states that this feature is disclosed in Byrne at col. 3, lines 19-53; and col. 4, lines 33-49.

Applicants respectfully submit that while a predetermined criterion for selecting a radio system is disclosed in Byrne, this is quite different than what is claimed. That is, in the present invention, in order to save on battery energy, a search for a fixed part or parts of the local networks is not initiated until the programmed triggering event occurs. As recited, “activating the search means on the occurrence of the programmed triggering events.”

On the other hand, in the Byrne device, the available radio systems are constantly monitored, or at least intermittently monitored (see col. 5, lines 8 and 9). In this context, and according to the teaching of Byrne, the cited predetermined criterion by the Examiner is used to select among the radio systems already detected (see col. 3, lines 42-51; col. 4, lines 46-57). Byrne does not disclose initiating a search based on a programmed triggering event.

Regarding claim 3, the Examiner states that Byrne discloses a terminal, wherein the triggering event is a predefined sequence of keystrokes associated with a command of the terminal other than the command which switches the communication means to operate with a

preferred local network (citing col. 3, lines 47-53; col. 4, lines 33-38, and alleging that the user is able input into the terminal a decided predetermined criteria corresponding to triggering events).

Again, for the same reasons as above, the predetermined criterion that the Examiner cites are used to select among the radio systems already detected. This is not suggestive of initiating a search based on a triggering event. Therefore, Applicants submit that claim 3 is allowable for this feature as well. Likewise for the triggering event recited in dependent claim 8.

Claims 4, 9, and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Byrne in view of Van Der Salm (U.S. Patent No. 6,343,220) further in view of Dalsgaard et al.

First, claims 4, 9, and 10 are allowable at least based on their dependency of claim 1. Further, each of these claims recite the triggering event feature which is not included in Byrne for the reasons discussed above. Also, as Applicants previously argued in the May 21, 2004 Response, both Dalsgaard et al. and Van Der Salm are silent with respect to a triggering event. As such, the combination of these references would not have been obvious.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111  
U.S. Application No. 09/754,212

Attorney Docket No. Q62416

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Ronald Kimble  
Registration No. 44,186

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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